

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AEVOE CORP.,

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Case No.: 2:12-cv-0054-GMN-RJJ

Plaintiff,

)

ORDER

vs.

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SHENZHEN MEMBRANE PRECISE
ELECTRON LTD.,

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Defendant.

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Before the Court is Defendant Shenzhen Membrane Precise Electron, Ltd.'s Motion for Relief from Order Granting Preliminary Injunction (ECF No. 35). Plaintiff Aevoe Corp. filed an Opposition to the Motion (ECF No. 40) and Defendant filed a Reply (ECF No. 48).

Defendant petitions the Court to amend its Order to "accurately" reflect what was discussed and decided at the Preliminary Injunction regarding which products in fact infringe on Plaintiff's patent. Defendant asks the Court to include express language to indicate that only Defendant's products that include a spacer are included in the Preliminary Injunction.


Fed. R. Civ. P. 60(a) provides that a Court may correct any mistake arising from an oversight or omission in a judgment, order or other part of the record. A Rule 60(a) motion may be invoked to "make a judgment [or order] reflect the actual intentions and necessary implications of the court's decision." *Robi v. Five Platters, Inc.*, 918 F.2d 1439, 1445 (9th Cir. 1990).

The Court finds that the Preliminary Injunction Order should be clarified to indicate that only products that include a spacer are included in the Order. An amended order will be entered accordingly.

IT IS HEREBY ORDERED that Defendant Shenzhen Membrane Precise Electron,

1 Ltd.'s Motion for Relief from Order Granting Preliminary Injunction (ECF No. 35) is
2 **GRANTED in part.** The Court will amend the Order to clarify that the allegedly infringing
3 products include a spacer but will not use the language proposed by Shenzhen Membrane.

4 **DATED** this 1st day of May, 2012.

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9 Gloria M. Navarro
10 United States District Judge
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